

REMARKS

Claims 1-4, 8-11, 15-17, and 21-24, all the claims pending in the application, stand rejected on prior art grounds. Dependent claims 5-7, 12-14, 18-20, and 25-27 are canceled, above. Applicants respectfully traverse these rejections based on the following discussion.

I. Amendments to the Specification

The Office Action asserts that the attempt to incorporate subject matter into the present application by reference to U.S. Patent Application No. 09/453,892 is ineffective because it is not titled as "Incremental Maintenance of Summary Tables with Complex Grouping Expressions" as given in "cross reference to related applications" section in the specification (Office Action, p.2, para. 4).

Applicants submit that reference to U.S. Patent Application No. 09/453,892 was a typographical error, wherein the numerals "8" and "9" were inadvertently switched. Thus, Applicants have amended the specification, above, to replace U.S. Patent Application No. "09/453,892" with No. "09/453,982". U.S. Patent Application No. 09/453,982, filed Dec. 2, 1999 to Roberta Cochrane et al., is entitled "Incremental Maintenance of Summary Tables with Complex Grouping Expressions".

The Office Action also advises Applicant to delete the attorney docket number from the "cross reference to related applications" section (Office Action, p.3, para. 1). As such, Applicants have amended the specification, above, to delete all references to attorney docket numbers. In view of the foregoing, the Examiner is respectfully

requested to consider the amendments to paragraph [0001], cross reference to related applications, of the specification.

II. The Prior Art Rejections

Claims 1-2, 4, 8-9, 11, 15-16, 21-22, and 24 stand rejected under 35 U.S.C. 102(a) as being anticipated by Palpanas et al. (NPL “Incremental Maintenance for Non-Distributive Aggregate Functions”, Proceedings of the 28th VLDB Conference, Hong Kong, China, 2002), also referred to herein as Palpanas. Claims 3, 10, 17, and 23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Palpanas in view of Liu et al. (NPL “Derivation of Incremental Equations for Nested Relations”, Database Conference, 2001, ADC 2001, Proceedings 12th Australasian, pp. 76-82), hereinafter referred to as Liu. Claims 5-7, 12-14, 18-20, and 25-27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Palpanas in view of Martin Escardo (NPL “Floating Point Arithmetic with Error Analysis” May 3, 2001, University of Edinburgh), hereinafter referred to as Escardo.

Applicants respectfully traverse these rejections because the relevant portions of “Incremental Maintenance for Non-Distributive Aggregate Functions” (i.e., Palpanas) were derived from the inventors of the present patent application (U.S. Patent Application Serial No. 10/643,644), filed by Applicants on August 19, 2003 (less than one year after the publication date of “Incremental Maintenance for Non-Distributive Aggregate Functions”).

More particularly, “Incremental Maintenance for Non-Distributive Aggregate Functions” was the basis for the present patent application and discussed aspects of the invention defined by claims 1-4, 8-11, 15-17, and 21-24. Themistoklis Palpanas, Richard Sidle, Roberta Cochrane, and Hamid Piraresh are co-authors of “Incremental Maintenance for Non-Distributive Aggregate Functions”. Richard Sidle, Roberta Cochrane, and Hamid Piraresh are joint inventors of the invention defined by claims 1-4, 8-11, 15-17, and 21-24 in the present application (**See Exhibit A**). Although Themistoklis Palpanas is a co-author in “Incremental Maintenance for Non-Distributive Aggregate Functions”, he acknowledges by declaration under 35 U.S.C. §1.132 (**See Exhibit A**) that he is not an inventor of the invention defined by claims 1-4, 8-11, 15-17, and 21-24 of the present application.

In addition, Songting Chen is a joint inventor of the invention defined by claims 5-7, 12-14, 18-20, and 25-27, which are cancelled above, of the present application. Cancellation of claims 5-7, 12-14, 18-20, and 25-27 removes Songting Chen’s contribution to the present application; thus, Songting Chen is not a joint inventor of the invention defined by claims 1-4, 8-11, 15-17, and 21-24 of the present application (**See Exhibit A**). Applicants are filing a correction of inventorship herewith to delete Songting Chen as an inventor of the present application (**See Exhibit B**).

Therefore, Richard Sidle, Roberta Cochrane and Hamid Piraresh are the *only* joint inventors of the invention defined by claims 1-4, 8-11, 15-17, and 21-24 of U.S. Patent Application Serial No. 10/643.644 (all of the claims presently pending). Further, because Richard Sidle, Roberta Cochrane, and Hamid Piraresh are also co-authors of

“Incremental Maintenance for Non-Distributive Aggregate Functions”, “Incremental Maintenance for Non-Distributive Aggregate Functions” describes Applicants’ own work.

Accordingly, the supporting Exhibits establish that the relevant portions of “Incremental Maintenance for Non-Distributive Aggregate Functions” originated with or were obtained from Applicants’ own work (i.e., the work of the joint inventors, namely, Richard Sidle, Roberta Cochrane, and Hamid Pirahesh). Consequently, “Incremental Maintenance for Non-Distributive Aggregate Functions” should be removed as a reference (see MPEP 2132.01, Ex parte Hirschler, 110 USPQ 384 (Bd. App. 1952) and Ex parte Kroger, 219 USPQ 370 (Bd. Pat. App. & Int. 1982). In view of the foregoing, the Examiner is requested respectfully requested to reconsider and withdraw the rejections.

II. Formal Matters and Conclusion

In view of the foregoing, Applicants submit that claims 1-4, 8-11, 15-17, and 21-24, all the claims presently pending in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

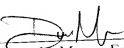
Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary.

Please charge any deficiencies and credit any overpayments to Attorney's Deposit

Account Number 09-0441.

Respectfully submitted.

Dated: 6/27/06


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